HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.6646 of 2007

Dated:03.04.2007

Between:

Smt.S.Gunnamma and another.

…Petitioners.

and

The A.P.State Cooperative Tribunal and others.

…Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.6646 of 2007

ORDER:

The petitioners challenge the order, dated 13.02.2007, passed by the Andhra Pradesh State Co-operative Tribunal, Hyderbabad, the 1st respondent herein.

The petitioners filed an appeal before the Tribunal, challenging the award, dated 26.07.2001, passed by the Deputy Registrar of Co-operative Societies, Vasavi Co-operative Urban Bank Limited, the 2nd respondent herein. The appeal was returned on 10.02.2004, with certain objections. It was represented after compliance. However, objection Nos.4 and 9 were not complied with. Therefore, the Tribunal rejected the appeal through a reasoned order, dated 05.08.2004.

Pleading that she has undergone medical treatment and that she was not informed of the various stages of the appeal by her Counsel, the 1st petitioner filed I.A.(SR) No.59 of 2007, to condone the delay of 860 days in representing the appeal. Through the impugned order, the Tribunal dismissed the application. Hence, this Writ Petition.

Heard the learned Counsel for the petitioners.

The record discloses that the appeal presented by the petitioners was returned on certain occasions, and ultimately, through a reasoned order, dated 05.08.2004, the Tribunal rejected the same. It is but natural that, once a suit, or an appeal is rejected, the question of representing the same, does not arise. The order of rejection has to be assailed before the forum of appeal, wherever it is provided. Therefore, no exception can be taken to the order under challenge.

The Writ Petition is accordingly, dismissed, leaving it open to the petitioners to avail the remedy against the order of rejection, dated 05.08.2004, in accordance with law. There shall be no order as to costs.

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Dt.03.04.2007 **L.NARASIMHA REDDY, J**

Note:Furnish C.C. by tomorrow.
(B/o)
GJ